

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

DONALD JAMES BRUCE HATTON, Sr.,

Plaintiff,

v.

UNKNOWN,

Defendant.

Case No. 2:23-cv-02996-JDP (PC)

ORDER

DIRECTING THE CLERK OF COURT TO RANDOMLY ASSIGN A DISTRICT JUDGE TO THIS MATTER

FINDINGS AND RECOMMENDATIONS

THAT THIS ACTION BE DISMISSED WITHOUT PREJUDICE FOR FAILURE TO PAY THE REQUIRED FILING FEE AND COMPLY WITH COURT ORDERS

OBJECTIONS DUE WITHIN FOURTEEN DAYS

On December 28, 2023, I ordered plaintiff to submit, within thirty days, either the required filing fee or a complete application to proceed *in forma pauperis*. ECF No. 3. When plaintiff did not file a timely response, on February 7, 2024, I ordered him to show cause within twenty-one days why this action should not be dismissed for his failure to complete an application to proceed *in forma pauperis* or pay the required filing fee. ECF No. 4. I warned him that failure to comply with that order would result in a recommendation that this action be dismissed. *Id.* at 2.

1 Accordingly, it is hereby ORDERED that the Clerk of Court shall randomly assign a
2 United States District Judge to this case.

3 Further, it is RECOMMENDED that this action be dismissed without prejudice for failure
4 to pay the required filing fee and failure to comply with court orders.

5 These findings and recommendations are submitted to the United States District Judge
6 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days
7 after being served with these findings and recommendations, any party may file written
8 objections with the court and serve a copy on all parties. Such a document should be captioned
9 "Objections to Magistrate Judge's Findings and Recommendations." Any response to the
10 objections shall be served and filed within fourteen days after service of the objections. The
11 parties are advised that failure to file objections within the specified time may waive the right to
12 appeal the District Court's order. *Turner v. Duncan*, 158 F.3d 449, 455 (9th Cir. 1998); *Martinez*
13 *v. Ylst*, 951 F.2d 1153 (9th Cir. 1991).

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15 IT IS SO ORDERED.

16 Dated: April 5, 2024


17 JEREMY D. PETERSON
18 UNITED STATES MAGISTRATE JUDGE

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